



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Ciminio
Post Office Box 249
Oakmont, Pennsylvania 15139

OCT 16 2008

RE: MUR 5749

Dear Mr. Ciminio:

On May 19, 2006, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On October 8, 2008, the Commission found, on the basis of the information in the complaint, information provided by you, and the results of our investigation that there is no reason to believe you violated the Act. Accordingly, the Commission closed its file in this matter as it pertains to you. The Factual and Legal Analysis, explaining the Commission's finding, is enclosed.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cameron Thurber".

J. Cameron Thurber
Attorney

Enclosure
Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: James Ciminio

MUR: 5749

I. INTRODUCTION

This matter was generated by a complaint filed with the Federal Election Commission ("Commission") by the Center for Responsibility and Ethics in Washington. See 2 U.S.C. § 437g(a)(1). For the reasons set forth below, the Commission finds no reason to believe that James Ciminio violated the Federal Election Campaign Act of 1971, as amended (the "Act").

II. DISCUSSION

A. Facts

The complaint mentions that Ciminio, an employee of a GSP Consulting Corporation ("GSP") client, made an earmarked contribution through GSP Consulting Corporation PAC ("GSP PAC"), but makes no allegations concerning him. Disclosure reports show that on August 23, 2004, Ciminio made a \$250 earmarked contribution to Tim Murphy for Congress which flowed through GSP PAC. When contacted, Ciminio stated he remembered being solicited by a GSP principal for a fundraiser for Tim Murphy that GSP was sponsoring and making the contribution, but did not know his check was forwarded through GSP PAC, and did not know GSP even had a separate segregated fund.

B. Analysis

An investigation revealed that Ciminio did not violate the Act, and was apparently only mentioned in the complaint as someone who may have been improperly solicited by GSP. Therefore, there is no reason to believe James Ciminio violated the Act.

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